IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:24.08.2006

CORAM:

THE HON'BLE MR. JUSTICE P. SATHASIVAM
AND
THE HON'BLE MR. JUSTICE S. MANIKUMAR

WRIT APPEAL No.3042 of 2002
and W.P.M.P.No.5073 of 2002

1. The Director of Government
   Examinations, College Road
   Chennai 6.

2. The Selection Committee
   Directorate of Medical Education
   162-Periyar EVR High Road
   Kilpauk, Chennai 10. .. Appellants

vs.

S.P. Prasad .. Respondent

Writ Appeal filed under Clause 15 of the Letters of Patent against the order of the learned Judge Mr. Justice F.M. Ibrahim Kalifulla dated 10.07.2002 made in W.P.No.24180 of 2002. filed under Article 226 of the Constitution of India toc all for the records relating to the intimation letter Na.Ka. No. 064964/J1/2002 dated . 6.2002 of the 1st Respondent and quash the same by issue a writ of certiorarified Mandamus direct the 1st Respondent to re-assess the answer to question No. 32 in Sec "c" in (Bio-Botany) Biology paper as per that

For appellants : Ms. D. Geetha
Addl. Govt., Pleader

For respondent : No Appearance

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JUDGMENT

(Judgement of the Court was delivered by P. SATHASIVAM,J.)

The above writ appeal is directed against the order of the learned single Judge dated 10.07.2002 made in W.P.No.24180 of 2002, in and by which the learned Judge,

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directed the first respondent therein, viz., Director of Government Examinations, Chennai-6, to re-value the writ petitioner's answer sheet in Bio-Botony in so far as answer to question No.32 is concerned and issue necessary revised mark sheet, if any revision in the marks takes place, after such revaluation.

2. It is not in dispute that the said order was passed on 10.07.2002 and the Division Bench of this Court admitted the above appeal on 01.04.2004. In the application for stay, the Division Bench has ordered only notice. Now, we are in August, 2006. Considering the fact that the direction of the learned single Judge has not been stayed by the Division Bench nearly for 2 years, we are not inclined to interfere at this point of time. On this ground, the appeal is dismissed. No costs. Consequently, connected WPMP., is also dismissed.

kh

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To
The Director of Government
Examinations, College Road
Chennai 6.

2. The Selection Committee
Directorate of Medical Education
162-Periyar EVR High Road
Kilpauk, Chennai 10.

TEJ(CO)
NM(31.08.2006)

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